



This claim involves an alleged date of accident after July 1, 1994. Kansas Workers Compensation Fund has filed a Motion to Dismiss, arguing that the Fund has no liability for re-injury to a handicapped employee which occurs after July 1, 1994. The Administrative Law Judge denied the Fund's Motion and this appeal followed.

For the reasons stated in Thurma J. Jones v. Continental Can Company, Docket No. 162,828 (July 14, 1994), the Appeals Board finds it does not have jurisdiction to consider this issue at this point in the proceedings.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the Order of Administrative Law Judge Nelsonna Potts Barnes dated August 17, 1995 should and does remain in full force and effect as entered.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of January 1996.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c: Vaughn Burkholder, Wichita, Kansas  
Steven L. Foulston, Wichita, Kansas  
Nelsonna Potts Barnes, Administrative Law Judge  
Philip S. Harness, Director